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| 09/523,267 | 03/10/2000 | Joseph Allen | 1858-002 | 5991 |

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EXAMINER

BUI, BING Q

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2642

DATE MAILED: 07/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/523,267

Applicant(s)

ALLEN ET AL.

Examiner

Bing Q Bui

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Bellafiore (US Pat No. 5,537,465).

Regarding claim 1, Bellafiore teaches a apparatus for minimizing interruption of communications on a first communications link between a central office and a customer premises telephonic device when local loop generation equipment is coupled to the first communications link, the apparatus comprising:

(a) a second communications link between the local loop generation equipment and the central office (see Fig 1; col 2, lns 51-60 and col 4, lns 7-49)

(b) a processing mechanism at the central office coupled to the second communications link and adapted to determine under what circumstances the customer premises telephonic device will be notified over the first communications link in response to the activation of local loop generation equipment (i.e., in the circumstance that a telephone set is busy on an ongoing central office (CO) call, a waiting tone is applied to the telephone set in response to an activation such as dialing the asterisk key (*) from a PBX/ICM line (local loop); see col 5, lns 3-22).

As to claims 2-3 and 18-20 , they are rejected for the same reasons set forth to rejecting claim 1.

Regarding claim 4, Bellafiore further teaches the processing mechanism further comprises a mechanism for providing the customer premises occupant with a door bell call waiting feature such that the central office will send call waiting tones over the first telephone line when a visitor activates the doorbell answering system and the customer premises occupant is already engaged in a telephone call on the first telephone line (see col 5, lns 3-22).

Regarding claim 5, Bellafiore further teaches the processing mechanism further comprises a mechanism for providing the customer premises occupant with a cancel door bell call waiting feature such that the central office will not send call waiting tones over the first telephone line when a visitor activates the doorbell answering system and the customer premises occupant is already engaged in a telephone call on the first telephone line (see col 5, lns 3-22).

Regarding claim 6, Bellafiore further teaches the processing mechanism further comprises a mechanism for providing the customer premises occupant with a door bell call waiting feature such that the central office will send call waiting tones over the first telephone line only when a visitor activates the doorbell answering system and the customer premises occupant is already engaged in a telephone call on the first telephone line (see col 5, lns 3-22).

Regarding claim 7, Bellafiore further teaches the second communications link is provided in the form of a telephone line which is equipped to place outgoing local calls,

but not equipped to receive incoming calls, and not equipped to place long-distance calls (see Fig 1; col 2, Ins 51-60 and col 4, Ins 7-49).

Regarding claim 8, Bellafiore further teaches the second telephone line is equipped to place outgoing local calls, but not equipped to receive incoming calls, and not equipped to place long-distance calls (see Fig 1; col 2, Ins 51-60 and col 4, Ins 7-49).

Regarding claim 9, Bellafiore further teaches the second telephone line is equipped to place outgoing local calls, but not equipped to receive incoming calls, and not equipped to place long-distance calls (see Fig 1; col 2, Ins 51-60 and col 4, Ins 7-49).

Regarding claim 10, Bellafiore further teaches the local loop generation equipment is a doorbell answering system (see Fig 1; col 2, Ins 51-60 and col 4, Ins 7-49).

Regarding claim 11, Bellafiore further teaches the local loop generation equipment is a doorbell answering system (see Fig 1; col 2, Ins 51-60 and col 4, Ins 7-49).

Regarding claim 12, Bellafiore further teaches the central office utilizes advanced intelligent network (AIN) protocols adapted to permit a premises occupant to receive doorbell answering system telephone calls on the first communications link while already engaged in another telephone call on the first communications link (see col 6, ln 1-col 8, ln 4).

Regarding claim 13, Bellafore further teaches the central office utilizes advanced intelligent network (AIN) protocols adapted to permit a premises occupant to receive doorbell answering system telephone calls on the first telephone line while already engaged in another telephone call on the first telephone line (see col 6, ln 1-col 8, ln 4).

Regarding claim 14, Bellafore further teaches the AIN capabilities are adapted to provide a premises occupant with a cancel door bell call waiting feature such that the central office will not send call waiting tones on the first communications link when a visitor activates the doorbell answering system and a call is already in progress (see col 6, ln 1-col 8, ln 4).

Regarding claim 15, Bellafore further teaches the AIN capabilities are adapted to provide a premises occupant with a cancel door bell call waiting feature such that call waiting tones will not be sent on the first telephone line when a visitor activates the doorbell answering system and a call is already in progress (see col 6, ln 1-col 8, ln 4).

Regarding claim 16, Bellafore further teaches the AIN capabilities are used to provide a premises occupant with a call waiting feature such that only calls from the doorbell answering system will cause call waiting tones to be sent on the first communications link (see col 6, ln 1-col 8, ln 4).

Regarding claim 17, Bellafore further teaches the AIN capabilities are used to provide a premises occupant with a call waiting feature such that only calls from the doorbell answering system will cause call waiting tones to be sent on the first telephone line (see col 6, ln 1-col 8, ln 4).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 21, 24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellafiore (US Pat No. 5,537,465).

Regarding claim 21, Bellafiore teaches the invention substantially as claimed, with the exception of providing the feature of:

an automated voice enunciation mechanism providing an enunciated voice message to the visitor indicative of progress of the telephone call and corresponding to at least one of busy signal, dial tone, and an answered call;

when the telephone call is answered, providing a communications path between the visitor and the occupant premises so as to enable the visitor to determine whether or not to grant access to the visitor; and

activating an access control mechanism at the occupant premises if access is to be provided to the visitor.

However this feature would have been obvious since it has been so notorious and well-known in the art. For example, a scenario in which a second party may receive an announcement such as "the party you want to reach is busy on the line, however if this is an emergency call, please press "0" now" or the like when he tries to reach a desired called party while this called party is occupied on an ongoing communication.

As to claims 24 and 27 , they are rejected for the same reasons set forth to rejecting claim 21.

5. Claims 22-23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellafore (US Pat No. 5,537,465) in view of Von Bauer et al (US Pat No. 5,428,388), herein after referred as Bauer.

Regarding claim 22-23 and 25-26, Bellafore teaches the invention substantially as claimed, with the exception of providing the communications path is provided using a slow scan video link, wherein the slow scan video link is implemented using modems.

However, Bauer teaches the communications path is provided using a slow scan video link, wherein the slow scan video link is implemented using modems (see col 1, lns 6-12 and col 4, ln 61-col 5, ln 25). Therefore, it would have been obvious to integrate the Bauer's teachings into the PBX/ICM system of Bellafiore in order to provide a most effective tool for recognizing a caller or visitor.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Marshall et al (US Pat No. 4,035,588) disclose a right-of way control circuit for key telephone intercommunication system.

Lipscher et al (US Pat No. 4,715,060) disclose a door message apparatus with telephone answering device.

Chern et al (US Pat No. 4,764,953) disclose a system and method for remote doorbell answering.

Housley (US Pat No. 4,868,540) discloses a programmable doorbell control.

Johnson (US Pat No. 5,570,083) discloses a doorbell/answering system.

Lutes (US Pat No. 5,673,016) discloses a multifunction visitor information system.

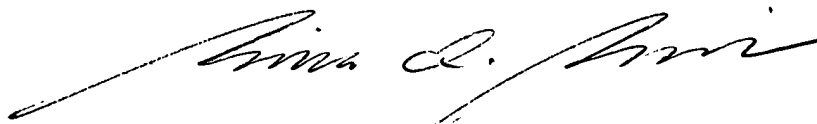
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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314 and for formal communications intended for entry (please label the response "EXPEDITED PROCEDURE") or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Jul 19, 2003

A handwritten signature in black ink, appearing to read 'Bing Bui', written in a cursive style.

**BING BUI
PATENT EXAMINER**